

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WILLIAM D. HELMICK,	)	
Plaintiff	)	
	)	2:05cv1540
vs.	)	Electronic Filing
	)	
COMMISSIONER OF SOCIAL	)	Judge David Stewart Cercone
SECURITY ADMINISTRATION,	)	Magistrate Judge Amy Reynolds Hay
Defendant	)	

**MEMORANDUM ORDER**

AND NOW, this 22<sup>nd</sup> day of August, 2006, after the plaintiff, William D.

Helmick, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the motions and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Motion for Summary Judgment filed by Plaintiff (Document No. 9) is DENIED;

IT IS FURTHER ORDERED that the Motion for Summary Judgment filed by Defendant (Document No. 11) is GRANTED;

IT IS FURTHER ORDERED that the decision of the Commissioner denying Plaintiff's application for disability insurance benefits is affirmed;

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

  
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DAVID STEWART CERCONE  
United States District Judge

cc: Honorable Amy Reynolds Hay  
United States Magistrate Judge

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